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OCT 26 2009

U.S. Patent Application
Serial No. 10/532,686

REMARKS

Claims 1-27 are currently being cancelled in lieu of new claims 28-53. In particular, each independent claim is being amended such that the reactivity ratio is less than or equal to 1.5 and the isotactic pentads are greater than 98.5%. Additionally, the organosilane external donor of previously pending claim 24 is now amended such that the organosilane external donor is of formula $R_a^5 R_b^6 Si(OR^7)_c$, wherein $a=0$ and $b=1$; c is 3; and R^6 is a branched alkyl or cycloalkyl group optionally comprising at least one heteroatom; and R^7 is methyl. Basis for new claims 28-53 can be found throughout Applicant's specification, including page 2, lines 20-25; page 5, lines 2-5; and page 7, lines 1-8.

The amendments to the claims presented herein do not introduce new matter within the meaning of 35 U.S.C. §132. Accordingly, the Examiner is respectfully requested to enter these amendments.

1. Previous Rejections in the Office Action Dated July 24, 2009

First and foremost, claims 1-27 have been cancelled rendering all of the rejections thereof outlined in the Office Action having a mailing date of July 24, 2009 moot.

Notwithstanding, Applicant respectfully believes the currently claimed butene-1 copolymers comprising a content up to 40% by mol of at least one comonomer, the comonomer being selected from ethylene, propylene, or mixtures thereof, the butene-1 copolymers further

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comprising a) a product of the reactivity ratios $r_1 \cdot r_2 \leq 1.5$; b) a content of butene-1 units in form of isotactic pentads (mmmm) > 98.5%; and c) an absence of 4,1 insertions of butene units are patently distinct from every document cited in the previous Office Action. All of Applicant's previous arguments in Applicant's previous response of April 9, 2009 are incorporated herein by reference in their entirety.

In fact, Applicant respectfully believes nowhere in any of the documents cited in the Office Action of July 24, 2009 are Applicant's currently claimed butene-1 copolymers disclosed, taught, or suggested in which the butene-1 copolymers have a reactivity ratios $r_1 \cdot r_2$ less than or equal to 1.5; isotactic pentads greater than 98.5% of butene-1 units; and an absence of 4,1 insertions of butene units. For these reasons, Applicant respectfully believes not only are all of the rejections outlined in the aforementioned Office Action moot, but that new claims 28-52 are novel and patentably distinct over the prior art of record.

In light of the above, Applicant respectfully believes all of the currently pending rejections should be withdrawn, and claims 28-53 should be allowed to pass to grant.

CONCLUSION

Based upon the above remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over

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the prior art of record. The Examiner is therefore respectfully requested to reconsider and withdraw all rejections, and allow all pending claims 28-53. Favorable action with an early allowance of the claims pending in this application is earnestly solicited.

The Examiner is welcomed to telephone the undersigned practitioner if she has any questions or comments.

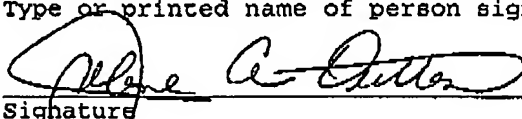
Respectfully submitted,

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300) on October 26, 2009.

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